

AB:KCB

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

PRE-ARRAIGNMENT
COMPLAINT

- against -

(T. 21, U.S.C., §§ 952(a) and 960(a)(1))

FRANKLIN DELANO BROOKS,

No. 19-MJ-333

Defendant.

federal defenders' appointed

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EASTERN DISTRICT OF NEW YORK, SS:

THOMAS JACQUES, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations ("HSI").

Upon information and belief, on or about April 9, 2019, within the Eastern District of New York, the defendant FRANKLIN DELANO BROOKS did knowingly and intentionally import a controlled substance into the United States from a place outside thereof, which offense involved a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960(a)(1))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. On or about April 9, 2019, the defendant FRANKLIN DELANO BROOKS arrived at John F. Kennedy International Airport ("JFK") in Queens, New York, aboard JetBlue Airways flight number B6 780 from Montego Bay, Jamaica.

2. Upon his arrival, the defendant FRANKLIN DELANO BROOKS was selected for an enforcement examination by United States Customs and Border Protection ("CBP") officers. A CBP officer conducted a search of the defendant's baggage, which was negative.

3. During the enforcement examination, the defendant FRANKLIN DELANO BROOKS was visibly nervous. His carotid artery was pulsating, he was avoiding eye contact, he hands were fidgeting and he began to stutter when answering questions.

4. During the enforcement examination, the defendant FRANKLIN DELANO BROOKS was presented with an x-ray consent form, which was read to him, and which he stated he understood and signed. Shortly thereafter, the defendant admitted that he had swallowed approximately 120 pellets of narcotics. The defendant was transported to the medical facility at JFK where an x-ray examination was conducted and revealed the presence of foreign bodies.

¹ Because the purpose of this complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

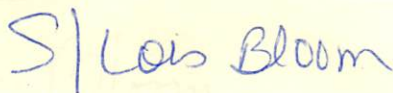
5. As of the date and time of the filing of this complaint, the defendant FRANKLIN DELANO BROOKS has passed approximately 57 pellets. One of the pellets was probed and found to contain a substance that field-tested positive for cocaine.

6. The defendant FRANKLIN DELANO BROOKS will be detained at the JFK medical facility until such time as he has passed all the pellets contained within his intestinal tract.

WHEREFORE, your deponent respectfully requests that the defendant FRANKLIN DELANO BROOKS be dealt with according to law.


THOMAS JACQUES
Special Agent
U.S. Department of Homeland Security,
Homeland Security Investigations

Sworn to before me this
10th day of April 2019



THE HONORABLE LOIS BLOOM
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK